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Dr. Chetta Questioned Closely On Reliability of Truth Serum

Russo Last Hypnotized On Sunday

Orleans Parish Coroner Dr. Nicholas J. Chetta was cross-examined closely today in the preliminary hearing for Clay L. Russo on the credibility of questioning done with sodium pentothal, or truth serum.

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Dr. Chetta testified that Perry R. Russo, the state witness who says he heard Shaw conspiring to kill President John F. Kennedy, was hypnotized in his office last Sunday two days before the current hearing began.

The coroner admitted that he spent only an hour with Russo before the witness underwent hypnosis through the use of sodium pentothal. He had testified earlier that the quality of results of such questioning depends on the knowledge of the person administering the drug.

But he added that "I have had 17 years' experience dealing with this kind of work and I can acquire the fine points in a short time."

DR. CHETTA SAID RUSSO, A 35-YEAR-OLD insurance salesman, underwent hypnosis on Feb. 23 at Mercy Hospital on March 2 in the office of Asst. Dist. Atty. Charles Ray Ward, and on March 12 at the coroner's office.

Russo told the three-judge Criminal District Court panel Tuesday that he heard Shaw, Lee Harvey Oswald and David William Ferrie plot the assassination in September, 1963, in Ferrie's apartment at 2002 Louisiana ave. p.m.

Kennedy was shot to death in Dallas Nov. 22, 1963. The Warren Commission reported Oswald and the killing alone.

Assistant DA Alvin Oser began questioning Dr. Chetta about details of Russo's comments while under hypnosis.

Defense Attorney F. Irvin Dymond objected:

"Your Honor, he is getting out of the realm of sanity of this witness and is trying to bolster the credibility of the witness and I object."

After some discussion, Judge Bernard J. Bagert overruled the objection. He is hearing the case along with Judges Malcolm V. O'Hara and Matthew S. Braniff. They must decide whether there is enough evidence to hold Shaw for trial.

Dr. Chetta was cross-examined by defense attorney William Wegmann. He asked the coroner whether fantasies appear in the mind of persons placed under sodium pentothal.

"Yes. It is up to the man doing the test to tell whether the person is lying or speaking in fantasy," said Dr. Chetta.

"ACCORDING TO MY NOTES, YOU GAVE RUSSO the drug the same day you questioned him. How long did you talk with him?"

"About an hour."

"Is this the only time that you saw Russo?"

"Yes, sir."

"Further, you said before that results would depend upon the dependability or knowledge of the person administering the drug."

"It is true," said Dr. Chetta. "I spent only an hour with the patient before administering the drug, but I have had 17 year experience dealing with this kind of work and I can acquire the fine points in a short time."

After Dr. Chetta stopped talking, he was succeeded on the stand by Dr. Esterson. Esterson, a private physician who qualified as an expert in hypnosis.

The hearing moved to its fourth day today, Shaw's 14th birthday.

Shaw arrived at 9:30 a. m., apparently in good spirits.

He shook hands and said "good morning" to one of the deputy sheriffs who has been in the courtroom every day of the hearing.

He then conferred with Dymond, sometimes smiling during the conversation.

THE FIRST WITNESS on the stand today was C. W. Johnson, chief director of the Immigration and Naturalization Service in New Orleans.

He appeared in response to questions by defense attorneys for records on Manuel Carlos Gonzales and Julio Fernandez.

In Johnson's testimony, Ferrie was mentioned two times as having attended a party at Ferrie's house where the plot to kill Kennedy was allegedly hatched. Their names sounded like Julio and Manuel.

Johnson was asked by Dymond what records he brought to the hearing. He said he had two files relating to the same man, Gonzales.

He said it was a record of a Cuban who entered the United States as a refugee, containing an alien registration card, pictures and a small registration card.

DYMOND THEN MOVED TO HAVE THE records submitted as a part of the evidence. Judge Bagert then said, "I understand there are two folders. What is the other folder?"

"The other folder relates to a Manuel Carlos Gonzales who entered the United States as a temporary visitor," Johnson replied.

Dymond then asked, "Do you have any records on Julio Fernandez?"

"No, sir, no records at all."

Johnson stopped talking and Dr. Chetta returned to the stand. He had been testifying when the hearing recessed yesterday.

The two persons whose names were mentioned earlier by defense attorneys.

SHAW SHOWED signs of nervousness as the hearing moved through its third day yesterday. His eyes were squinted, his left hand trembled.

"How would you like to swap places with me?" he asked a new man with a glass of milk.

The two new witnesses were apparently a pair referred to by Russo as having attended a party at which he says a plot was hatched in September, 1963, to kill the President.

The witness who is known only as the same "Manuel" and "Julio" who plotted the assassination of President Kennedy with David Ferrie and Lee Harvey Oswald to kill the President, mentioned the names of the two men during testimony yesterday.

ANTHONY YES-TERDAY, an expert witness for the state, called Russo into the courtroom.

"I told that Perry Russo fulfilled the requirements of the law," the coroner testified.

Dr. Chetta said he based his conclusion "on talking to him, observing him, listening to his past history . . ."

The appearance of Dr. Chetta followed two days of cross-examination of Russo by Shaw's attorneys.

SHAW'S ATTORNEYS fought yesterday to stop the testimony of Dr. Chetta, but were unsuccessful.

Dymond objected to the testimony of Dr. Chetta concerning the use of sodium pentothal.

Branniff told Dymond he had "opened the door" to the line of questioning when he interrogated Russo earlier about being hypnotized during the course of questioning by the DA's office.

Judge Branniff told Dymond he should not object to the line of questioning by Oser.

He said Dymond had insinuated "what the witness was crazy or that he was hypnotized before he came on the witness stand."

Bogert, the presiding member of the three judge panel, asked Dymond, "Did you or did you not ask the witness if he tried to jump out a window?"

DYMOND HAD contended that the "truth serum" test is not admissible as evidence.

Oser contended, however, that "at 10:25 a. m. Mr. Dymond asked the witness if he ever attempted to commit suicide. He introduced the question of sanity."

The coroner was then asked, "What is your opinion of the sanity of Perry Russo?"

Oser then described a "hypothetical case" of a man fitting Russo's actions in 1963 and asked Dr. Chetta, "What is your opinion of his sanity?" "I would say he was not sane. That he was sane." "What would you say of his sanity as of today and yesterday?"

"THE BEHAVIOR of the hypothetical person is that of a rational, controlled, intelligent individual," said Dr. Chetta.

"What were your observations as to whether he was faking under sodium pentothal," Oser then asked.

Following an objection from the defense, the coroner replied, "I would say it was definitely not a fake on the part of Perry Russo. I tested him while he was under the

effects by having him touch his nose. He went beyond and couldn't find his nose, which showed . . . he was not coordinated at all. He had a slurring speech and his respiration was deep, slow and regular."

The doctor also testified that there was another sign that Russo was not faking.

He said that after the pentothal was discontinued and Russo had recovered, he told the coroner, "I forgot to tell you something . . ."

Dr. Chetta said that, actually, Russo had made the statement while under the influence of sodium pentothal and did not know it.

OSER THEN ASKED Dr. Chetta if the statement made by Russo under the effects of sodium pentothal and those made without it were "substantially the same."

The defense again objected, and the question was tried again several different ways.

Finally, Judge Bogert and Branniff decided to overrule the objection, although Judge Ollara contended that the entire questioning was a "very subtle disguise to get hearsay into the record."

Finally, Chetta answered in the affirmative and said that the test was a factor in his conclusion that Russo was sane.

"In the use of sodium pentothal, does it aid a person to recall in a clearer fashion than without?" Dr. Chetta was asked.

"The effect of sodium pentothal is that it removes any mental blocks the person may have," was the reply.

"IN THE USE of hypnosis . . . does this aid the person to recall more clearly?"

"There is a similarity between the two. The ultimate end is the same—to get them to recall."

Earlier, in the closing cross-examination by Dymond, Russo denied that he took any part in the assassination plot.

"You weren't part of it?" Dymond asked.

"No, sir."

"WAS IT UNDERSTOOD that these three men (Oswald, Shaw and Ferrie) would actually participate in the assassination?"

"I didn't get that impression, no."

"Was Dallas mentioned?"

"No," said Russo.

"What's all," Dymond contended.

OSER WAS ordered March 1 and is free on \$10,000 bond.

He has denied knowing either Oswald or Ferrie and has said he was never involved in a conspiracy of any kind.

Associated Press photo.
CLAY L. SHAW watches as his attorney, EDWARD WEGMANN, looks over a copy of The Warren Report prior to the fourth day of testimony in the preliminary hearing for Shaw, accused of conspiring to murder President John F. Kennedy. Judge Bernard Leger has refused to allow the defense to use the 26 volumes of the report as evidence in the hearing.